

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

A P R I L 6, 2 0 0 6

The regular meeting of the City Planning Commission and public hearing convened on April 6, 2006 at 1:31pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, California.

PRESENT: COMMISSIONERS: Matthew Jenkins, Leslie Gentile,
Morton Stuhlbarg, Charles Winn

ABSENT: EXCUSED: Charles Greenberg, Mitchell Rouse,
Nick Sramek

CHAIRMAN: Matthew Jenkins

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Lemuel Hawkins, Planner
Jeff Winklepleck, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Winn.

M I N U T E S

The minutes of February 16, 2006 were approved on a motion by Commissioner Stuhlbarg, seconded by Commissioner Winn, and passed 3-0-1, with Commissioner Gentile abstaining and Commissioners Greenberg, Rouse and Sramek absent.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

Commissioner Winn moved to approve the Consent Calendar as presented by staff. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Greenberg, Rouse and Sramek were absent.

1a. Case No. 0601-22, Condominium Conversion, CE 06-06

Applicant: Subtec c/o Robert Vargo, Representative
Subject Site: 3440 E. Ransom Street (Council Dist. 4)
Description: Request for approval of Tentative Tract Map No. 065188 to convert eight residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Tract Map No. 065188 subject to conditions.

1b. Case No. 0512-06, Condominium Conversion, CE 05-261

Applicant: Prodigy Capital c/o Rey Berona
Subject Site: 1460 Obispo (Council District 4)
Description: Request for approval of Waived Parcel Map No. 064967 to convert eight residential dwelling units of an existing apartment building into condominiums.

Approved Waived Parcel Map No. 064967 subject to conditions.

1c. Case No. 0601-31, Condominium Conversion, CE 06-13

Applicant: Randy Morris
Subject Site: 4801-4811 Clark Avenue (Council Dist. 5)
Description: Approval of Tentative Tract Map No. 065852 to convert an eleven unit apartment building into ten condominiums.

Approved Tentative Tract Map No. 065852 subject to conditions.

1d. Case No. 0601-17, Condominium Conversion, CE 06-05

Applicant: HCL Investment Properties LLC
c/o Ron Hartmayer
Subject Site: 1414 Coronado Avenue (Council Dist. 4)
Description: Request for approval of Tentative Tract Map No. 063797 to convert nine residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Tract Map No. 063797 subject to conditions.

1e. Case No. 0510-19, Tentative Tract Map, CE 05-196

Applicant: Rey Berona - ACB Real Estate
Subject Site: 1441 Locust Avenue (Council Dist. 1)
Description: Request for approval of Tentative Tract Map No. 063067 to convert eight residential dwelling units into condominiums.

Approved Tentative Tract Map No. 063067 subject to conditions.

1f. Case No. 0512-13, Conditional Use Permit Modification, CE 05-166

Applicant: Ciaran Gallagher
Subject Site: 2751 E. Broadway (Council District 3)
Description: Conditional Use Permit to expand an alcohol license from beer and wine to full alcohol and modification of existing conditions of approval.

Approved the Conditional Use Permit and modification requests, subject to conditions.

1g. Case No. 0601-07, Zoning Ordinance Amendment, CE 06-54

Applicant: City of Long Beach
Subject Site: Citywide
Description: Proposed Amendment to Title 21 (Zoning Ordinance) of the Long Beach Municipal Code to establish development standards for used automobile sales businesses in all commercially zoned and/or planned development districts.

Continued to the May 18, 2006 meeting.

C O N T I N U E D I T E M S

2. Case No. 0508-23, Conditional Use Permit, Standards Variance, Administrative Use Permit, CE 05-152

Applicant: Dr. Lawrence A. Lasisi
Subject Site: 1925 & 1951 Pacific Ave. (Council Dist. 6)
Description: Conditional Use Permit to allow the establishment of a church in the CNP Zone, a Standards Variance request for a reduced number of parking spaces and off-site parking without a deed restriction, and an Administrative Use Permit for off-site joint use parking.

Lynette Ferenczy presented the staff report reiterating the previously recommended continuation to allow the applicant to obtain a deed restriction for the recommended parking. The applicant had not yet received the deed restriction, so staff was recommending a further continuance.

Annie Greenfeld, 1951 Chestnut, asked that the item not be continued since she felt that the 30 days already given to the applicant was enough.

Colleen McDonald, 525 W. 19th Street, also objected to the recommended continuation.

Gavin McKieran, 1891 Oregon Avenue, objected to the continuation and said the applicant had already had many months to come into compliance with zoning regulations.

Commissioner Winn asked staff to bring back a background of the applicant's history in the area and issues related to other churches in the area so that the Commission would be cognizant of the issues surrounding the case.

Commissioner Stuhlbarg moved to continue the item to the May 18, 2006 meeting. Commissioner Winn seconded the motion, which passed 4-0. Commissioners Greenberg, Rouse and Sramek were absent.

3. Case No. 0512-01, Conditional Use Permit, CE 05-256

Applicant: Sprint/Nextel Communications, Inc.
Suresite Consulting Group, agent
Courtney Schmidt, representative
Subject Site: 5290 Long Beach Blvd. (Council District 8)
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a 45' high monopole antenna structure designed as a palm tree with accessory equipment.

Lemuel Hawkins presented the staff report recommending approval of the permit since the proposed monopole has been designed with disguising features and is located at the rear of the subject property; and because its installation will improve the quality of service to cellular communication uses with a foundation to support additional carriers, and no adverse public health or environmental impacts were foreseen.

In response to a query from Commissioner Winn regarding which of the two installations—from Item 3 or Item 4--better served customers, Mr. Hawkins explained that staff's position was that because there was no existing Sprint coverage, and Nextel could co-locate, this would be the better one to approve. Mr. Winn said that based on the evidence, it looked like the Nextel site was the one to approve, so he would oppose the staff's recommendation.

Courtney Schmidt, Suresite Consulting, 18200 Von Karman, S. 300, Irvine, 92612, applicant, pointed out that this site was the only one available since CVS had refused to let Sprint lease their rooftop. She added that they could not co-locate with Nextel on Atlantic Avenue because they didn't need coverage there, and that they were willing to build to accommodate co-location at the proposed site.

Ed Gala, Sprint/Nextel, 310 Commerce, Irvine, 92602, clarified that although Nextel enjoyed some coverage from their existing Atlantic Avenue site, it was spotty and insufficient with an unscreened antenna, which would be decommissioned when and if the requested monopole in Item #4 was approved.

Mark Milan, 2525 E. 2nd Street, said he felt a 60' monopole was inappropriate.

In response to a question from Commissioner Gentile regarding monopole height, Mr. Hawkins explained that this installation request was for 45' but in order to accommodate co-location, 15' per additional carrier was allowed by code up to 75'.

Commissioner Winn moved to approve the Conditional Use Permit request, subject to conditions. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Greenberg, Rouse and Sramek were absent.

4. Case No. 0512-25, Conditional Use Permit, CE 05-273

Applicant: Nextel Communications, Inc.
Edward Gala, representative
Subject Site: 5115 Atlantic Ave. (Council District 8)
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a 47' high monopole antenna structure designed as a palm tree with accessory equipment.

Lemuel Hawkins presented the staff report recommending denial of the request since staff felt there was sufficient coverage already in the area.

Ed Gala, Sprint/Nextel, 310 Commerce, Irvine, 92602, applicant, noted that his company would save a quarter of a million dollars if they were able to co-locate with Sprint on the previous site, but were unable to do so because although the two companies had merged, they still used two different and incompatible technologies, and it was too far away from their coverage objectives. Mr. Gala indicated they had pursued alternate, preferred locations but could not reach an agreement with either the YMCA or the Port of Long Beach. He added that the monopole was more than 120 feet from Atlantic with all the equipment contained inside the building, which was hidden and further screened by existing, mature trees. Mr. Gala reported that the proposed antenna would provide improved coverage in the area.

In response to a query from Commissioner Stuhlbarg about the staff recommendation to deny, Mr. Hawkins explained that staff was trying to eliminate the proliferation of ground-mounted locations, and felt that Nextel could co-locate on the now-approved Sprint location.

Mr. Carpenter added that staff did not see enough evidence to prove that Nextel could not colocate on the previous facility.

Commissioner Winn said he felt that the applicant would not spend this kind of money if they didn't have to, and that removal of the original site upon completion of the new should be conditioned.

Mr. Hawkins noted that this would afford the City the ability to offer additional co-location opportunities while removing a roof-mounted facility that did not conform to design standards.

Commissioner Winn moved to continue the item to April 20, 2006 to allow staff to bring back revised conditions of approval. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Greenberg, Rouse and Sramek were absent.

5. Case No. 0507-22, Standards Variance, Local Coastal Development Permit, CE 05-137

Appellant: Mark Milan
Subject Site: 2533 E. 2nd Street (Council District 2)
Description: Appeal of the decision of the Zoning Administrator to deny a Local Coastal Development Permit and Standards Variance for oversize and over-height accessory structure in the front yard setback (off Broadway) on a through lot.

Greg Carpenter presented the staff report recommending denial of the appeal, since the structure would have a negative visual impact on Broadway and because there is sufficient room to relocate it to another location more suitable and in compliance with site development standards. The site also has an existing garage and accessory structure, and although a number of existing nearby buildings on Broadway are within the 15' setback, they are not as close as the building being proposed, based upon a diagram submitted by the appellant.

Mark Milan, 2525 E. 2nd Street, appellant, claimed that the Cultural Heritage Commission had unanimously approved his project and that most of his neighbors already had two-story buildings in the same area. Mr. Milan added that he felt his lot was unique and he read letters of support from nearby property owners. He also presented photos showing his property and where the building would be sited, noting that his section of Broadway was a busy, problematic area with mature vegetation that would screen the structure. He noted that by adding this structure, his tenants would no longer have to park on Broadway.

Mr. Carpenter added that the appellant had been offered the services of the City's Urban Design Office, who had contacted the project architect, who was willing to work on alternative designs, but that the appellant had demonstrated an unwillingness to change his original plans.

Commissioner Winn pointed out that the Commission is charged with interpreting the rules, and to decide whether or not a project conformed with zoning, and this did not.

Chairman Jenkins noted that the onus was on the appellant to make sure the project was built within City guidelines, and although he appreciated the Cultural Heritage Commission's decision, this Commission was following specific zoning

guidelines. Mr. Jenkins urged the appellant to be more cooperative in working with staff.

Mr. Stuhlbarg reminded appellant Milan that when requesting an accommodation it was prudent to have a better attitude when working with City staff members, and he also suggested that although the height of the building was not problematic, the blank wall of the structure needed to be altered to make it look more like the front of the house.

Suzanne Frick stated that staff would be happy to work to redesign the project with the Urban Design Office if the appellant was willing to participate.

In response to a question from Chairman Jenkins as to whether or not he could work with staff in a humane, cooperative manner to redesign the project to meet City guidelines, Mr. Milan stated he was prepared to do that.

Commissioner Winn agreed that from a standpoint of appearance, the project was not an issue, and noted that the Commission had given the appellant many chances to redesign the project and he had not been willing to do so.

Commissioner Winn moved to uphold the decision of the Zoning Administrator and deny the appeal. The motion died for lack of a second.

Commissioner Gentile noted that since this was an elective project, the appellant should not be asking for every variance, and that his architect should be able to prepare viable alternative designs. Ms. Gentile added that the overall rhythm of the block was not zero setbacks, and that he should look at the overall positioning of the building.

Commissioner Stuhlbarg moved to continue the item to the May 18, 2006 meeting for final resolution of the matter. Commissioner Gentile seconded the motion, which passed 3-1. Commissioner Winn dissented, and Commissioners Greenberg, Rouse and Sramek were absent.

R E G U L A R A G E N D A

6. Case No. 0601-13, Zoning Ordinance Amendment, CE 06-23

Applicant: City of Long Beach
 c/o James Goodin, Business Svcs. Officer
Subject Site: Citywide
Description: Proposed amendment to the Zoning Ordinance
 regarding home occupation uses and reclassifying painting
 contractors from a prohibited use to a permitted use.

Jeff Winklepleck presented the staff report recommending adoption of the requests since allowing painting contractors as home-based businesses will result in safer operations as well as additional revenues for the City.

Chairman Jenkins observed that this seemed a logical step since there were no health or environmental problems associated with these businesses.

Sean Barrett, 4496 Cerritos Avenue, painting contractor, expressed support for the staff recommendation, saying it would increase income to local suppliers while keeping overhead low for local painters, allowing them to be more competitive.

Commissioner Winn moved to recommend that the City Council adopt the amendment to the Zoning Ordinance. Commissioner Gentile seconded the motion, which passed 4-0. Commissioners Greenberg, Rouse and Sramek were absent.

7. Case No. 0404-13, Annual Review

Applicant: Boeing Realty Corporation
 c/o Deborah L. Stanley
Subject Site: 3855 Lakewood Blvd. (Council District 5)
Description: Annual review of the Development Agreement
 between the City of Long Beach and Boeing (McDonnell
 Douglas Corporation)

Lynette Ferenczy presented the staff report recommending finding the applicant to be in compliance with the terms of the Development Agreement.

Mario Stevali, Senior Real Estate Manager, Boeing Realty Company, 4900 E. Conant Street, stated that the first phase of infrastructure was being inlaid and that the first block of land would be available for sale by year's end. Mr. Stevali added

that there was no formal marketing program yet, but that they were in the early states of negotiating with unsolicited interested parties.

Commissioner Winn noted that the market for residential properties was so strong, he was encouraged to hear that there was also commercial interest. Mr. Winn added that he was not impressed by what he had seen accomplished so far.

Mr. Carpenter noted that this was an update only, and that much of the work going on now was the less-visible remediation and infrastructure work required to allow future development.

Mr. Stevali added that they were currently doing a significant amount of planning, and that once the first phase of the project was started in the next six to eight months, there would be significant changes in the property.

Commissioner Winn moved to review the materials and find the applicant to be in compliance with the terms of the Development Agreement. Commissioner Gentile seconded the motion, which passed 4-0. Commissioners Greenberg, Rouse and Sramek were absent.

M A T T E R S F R O M T H E A U D I E N C E

Ronnie Rephan, audience member, asked about renting restaurant space at 91 South Pine. Mr. Carpenter gave him contact information so that staff could respond to his questions.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Angela Reynolds stated that the airport terminal improvement would be discussed during the May 4, 2006 meeting.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

Chairman Jenkins expressed concern about the ability of the water, sewage and power infrastructures to handle all the anticipated development downtown. Ms. Reynolds noted that every one of the projects was accompanied by a final EIR or Mitigated Negative Declaration indicating that there was sufficient capacity to handle these projects.

A D J O U R N

The meeting adjourned at 3:35pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk